

W2450003  
DJM/ctr

Paper No.: \_\_\_\_\_

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Inventor(s): Kenneth G. Walker  
Title: **SYSTEM FOR DISPOSAL OF FLUIDS**  
Serial No.: 09/609,868  
Filed: July 3, 2000  
Examiner: Michael Bogart Art Unit: 3761

**AFFIDAVIT UNDER 37 CFR 1.131**

To: Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Kenneth Gordon Walker, being duly sworn, deposes and says:

1. I am the inventor of claims 1 - 38 of the patent application identified above and the inventor of all the subject matter described and claimed therein.
2. By at least as early as April 19, 1995, I completed my invention as described and claimed in claims 29, 31 and 36 in a NAFTA country, namely Canada. Specifically, I prepared in Canada the drawings and specification for a Canadian patent application which I filed in the Canadian Intellectual Property Office on April 19, 1995 under Serial No. 2,147,292. The Canadian patent application describes and illustrates the canister lid claimed in claims 29 and 31 and the suction canister claimed in claim 36. A copy of the Canadian application is attached hereto as Exhibit "A".
3. Figure 3 of the Canadian application shows a suction canister connected to a hand-held apparatus for cleaning it. The suction canister has an inlet, a vacuum port and an outlet, with a conduit in communication with the outlet and extending to the bottom of the canister. The inlet port in the lid for the inflow of fluids is indicated in the figure by reference number 4. The outlet port (which is not numbered in the



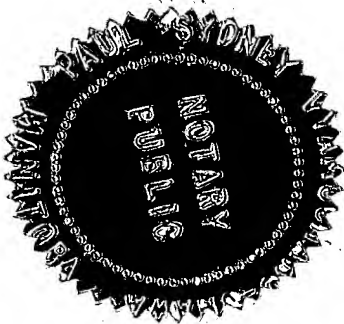
RECEIVED  
DEC - 7 2001  
TC 3700 MAIL ROOM


figure) is on the right hand side of the lid, with the conduit, identified by reference number 6, extending to the bottom of the canister. The vacuum port is the middle port in the lid as shown in Figure 3, between the inlet port and the outlet port and is for the application of vacuum to the canister. The hardware attached to the vacuum port, extending above the lid, is to attach the port to a vacuum source. When used in surgery, the canister is suspended from a wall-mounted vacuum outlet by the vacuum connector. This type of vacuum connector is well known in the art. For the Examiner's reference, I attach hereto as Exhibit "B" copies of two photographs showing vacuum bottles which include such connector. In the photographs, the white ball under the vacuum port is a float ball in a cage which shuts the vacuum port when the liquid level raises the ball to the port.

Sworn before me in Winnipeg,  
Manitoba, Canada, this 3<sup>RD</sup>  
day of DECEMBER, 2001.

~~XX Commissioner etc~~

A Notary Public in and for  
the Province of Manitoba  
Paul Sydney Vyamucharo-Shawa  
557 Ellice Avenue  
Winnipeg, Manitoba  
R3B 3C6



  
Kenneth Gordon Walker